

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
)
v.) Criminal No. 04-50 Erie
)
JOHN JOSEPH PRICE, JR.)

MOTION TO UNSEAL
INDICTMENT AND ARREST WARRANT

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Christian A. Trabold, Assistant United States Attorney for said District and, pursuant to Rules 6(e)(4) and 6(e)(6) of the Federal Rules of Criminal Procedure, respectfully moves the Court to issue an Order unsealing the Indictment returned in this case and the Arrest Warrant issued pursuant to said Indictment. In further support of this Motion, the United States avers as follows:

1. On November 9, 2004, an Indictment was returned by the Grand Jury charging the above-named defendant with violating Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), 841(c)(1) and 846. An Arrest Warrant was issued pursuant to said Indictment.

2. On November 9, 2004, this Court issued an Order sealing the aforesaid Indictment and Arrest Warrant, together with the Motion to Seal, until further Order of Court.

3. On September 28, 2005, it was discovered that the defendant is incarcerated in the Lake County Jail, Painesville, Ohio awaiting sentencing in a separate case.

4. Based upon the foregoing, the United States believes and therefore avers that it is in the interest of justice that the Indictment returned in this case and Arrest Warrant issued thereby, now be unsealed.

WHEREFORE, the United States of America respectfully requests that this Court issue an Order unsealing the Indictment returned in this case and the Arrest Warrant issued pursuant to the Indictment.

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney



CHRISTIAN A. TRABOLD
Assistant U.S. Attorney
PA ID No. 75013